

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CLO VIRTUAL FASHION INC., §
§
Plaintiff, §
§
v. §
§
ZHEJIANG LINGDI DIGITAL §
TECHNOLOGY CO., LTD. (D/B/A §
LINCTEX), §
§
Defendant. §

CASE NO. 2:23-CV-00274-JRG-RSP

ORDER

Defendant Linctex previously filed a Motion for Summary Judgment on Monetary Damages (Dkt. No. 102.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 232), recommending grant of Linctex's Motion for Summary Judgment on Monetary Damages with respect to Plaintiff's valuation-based approach for calculating damages, and otherwise denying the Motion. Linctex has now filed Objections (Dkt. No. 248), with Plaintiff CLO Virtual Fashion Inc. filing a Response (Dkt. No. 260.)

After conducting a *de novo* review of the briefing on the Motion for Summary Judgment on Monetary Damages, the Report and Recommendation, and the briefing on Linctex's Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous. Consequently, the Court **OVERRULES** Linctex's Objections and **ADOPTS** the Report and Recommendation and orders that the Motion for Summary Judgment on Monetary Damages (Dkt. No. 102) is **GRANTED** that Plaintiff may not maintain its valuation-based approach for calculating damages, but that the Motion is otherwise **DENIED**.

So ORDERED and SIGNED this 15th day of July, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE